

In Re Application of:
Catherine Lofton-Day et al.
Application No.: 10/562,089
Filed: January 28, 2008
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PATENT
Attorney Docket No. EPIGEN1480

REMARKS

Claims 1, 8-21 and 24 are pending. Claims 1 and 8 have been amended and are fully supported by the application as filed. Claim 5 has been cancelled without prejudice. New claim 25, fully supported by the originally filed specification and is in compliance with the Examiner's recommendation on page 5 of the present office action. No new matter has been added. A substitute sequence listing and corresponding amendments to the specification are also included with this response. Applicants respectfully request entry of the amendments.

REJECTIONS UNDER 35 USC §112

Claims 1-5, 8-21 and 24 stand rejected under 35 USC §112, second paragraph as allegedly indefinite. Applicants respectfully traverse the rejection and note it is moot with respect to the canceled claims.

Applicants have amended claim 1 to recite steps such that the preamble of the claim and the final detection step are consistent. Accordingly, Applicants respectfully request withdrawal of the rejection.

Claims 1, 5, 8-21 and 24 stand rejected under 35 USC §112, first paragraph as allegedly not enabled for the claims as written. Applicants respectfully traverse the rejection and note it is moot with respect to the canceled claims. Further, Applicants have amended claim 1 for the purpose of expediting prosecution and believe that the amendments conform with the Examiner's suggested claim language on page 5 of the office action. Accordingly, Applicants respectfully request withdrawal of the rejection.

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CONCLUSION

A substitute "Sequence Listing" is submitted herewith. The substitute "Sequence Listing" shows sequences that were present in the subject application as filed and, therefore, does not add new matter.

The specification has been amended to insert Sequence Identifiers as appropriate. As such, the amendments merely address formalities and do not add new matter.

In view of the amendments and above remarks, it is submitted that the claims are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

Please charge Deposit Account No. 07-1896 in the amount of \$555.00 to cover a Three Month Petition for Extension of Time. No additional fee is deemed necessary in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that are required, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,



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